	Document 1	7 Hed 10/01/20 Page 1 01 4		
1	NICHOLAS A. TRUTANICH			
	United States Attorney			
2	District of Nevada			
	Nevada Bar Number 13644			
3	ALLISON REESE			
	Nevada Bar Number 13977			
4	Assistant United States Attorney			
_	501 Las Vegas Blvd. South, Suite 1100			
5	Las Vegas, Nevada 89101			
	Phone: (702) 388-6336 Email: allison.reese@usdoj.gov			
6	Attorneys for the United States of America			
7	1111011111ys for the Onnea States of Innerted			
'	UNITED STATES DISTRICT COURT			
8	DISTRICT OF NEVADA			
9	UNITED STATES OF AMERICA,	Case No.: 2:20-mj-00842-NJK		
10	Plaintiff,	STIPULATION TO CONTINUE		
11	vs.	THE PRELIMINARY HEARING (First Request)		
12	LUIS ARTURO LOZANO,			
13	Defendant.			
14				
15	IT IS HEREBY STIPULATED AND AGREED, by and between NICHOLAS A			
16	TRUTANICH, United States Attorney, and ALLISON REESE, Assistant United State			
17	Attorney, counsel for the United States of America, and RENE VALLADARES, Federal Publi			
18	Defender, and RAQUEL LAZO, Assistant Federal Public Defender, counsel for Defendar			
19	LUIS ARTURO LOZANO, that the preliminary hearing date in the above-captioned matter			
20	currently scheduled for October 8, 2020, at 4:00 p.m., be vacated and continued for sixty (60			
21	days, to a date and time to be set by this Honorable Court.			
22	This stipulation is entered into for the following reasons:			
23	1. The Government needs additiona	l time to produce relevant discovery to Defense		

Counsel.

1	2. Defense Counsel needs additional time to review the discovery, conduct addition		
2	investigation, and confer with the Defendant about how he would like to proceed.		
3	3.	3. The parties need additional time to discuss resolving the case pre-indictment and	
4	if negotiation	negotiations become futile, the Government needs additional time to seek an indictment.	
5	4.	The parties agree to the continuance.	
6	5.	Defendant LUIS ARTURO LOZANO is out of custody and does not object to the	
7	continuance.		
8	6.	6. Additionally, denial of this request for continuance could result in a miscarriage of	
9	justice.		
10	7.	The additional time reque	sted herein is not sought for purposes of delay, but to
11	allow for a potential pre-indictment resolution of the case.		
12	8.	The additional time reques	sted by this stipulation, is allowed, with the defendant's
13	consent under the Federal Rules of Procedure 5.1(d).		
14	9.	This is the <u>first</u> request for	a continuation of the preliminary hearing.
15	DAT	ED: October 1, 2020	
16			Respectfully submitted,
17			NICHOLAS A. TRUTANICH United States Attorney
18			/s/ Allison Reese
19			ALLISON REESE
20			Assistant United States Attorney
21			RENE VALLADARES Nevada Federal Public Defender
22			/s/ Raquel Lazo
23			RAQUEL LAZO
24			Counsel for Defendant LUIS ARTURO LOZANO

UNITED STATES DISTRICT COURT 1 **DISTRICT OF NEVADA** -oOo-2 UNITED STATES OF AMERICA, 3 Case No.: 2:20-mj-00842-NJK **ORDER** Plaintiff, 4 5 vs. LUIS ARTURO LOZANO, 6 Defendant. 7 8 **ORDER** 9 Based on the pending Stipulation of counsel, and good cause appearing therefore, the 10 Court finds that: 11 1. The Government needs additional time to produce relevant discovery to Defense Counsel. 12 13 2. Defense Counsel needs additional time to review the discovery, conduct additional investigation, and confer with the Defendant about how he would like to proceed. 14 3. The parties need additional time to discuss resolving the case pre-indictment and 15 if negotiations become futile, the Government needs additional time to seek an indictment. 16 4. Defendant LUIS ARTURO LOZANO is out of custody and does not object to the 17 18 continuance. 5. Additionally, denial of this request for continuance could result in a miscarriage of 19 justice. 20 The additional time requested herein is not sought for purposes of delay, but to 21 6. allow for a potential pre-indictment resolution of the case. 22 7. 23 The additional time requested by this stipulation, is allowed, with the defendant's

consent under the Federal Rules of Procedure 5.1(d).

24

8. This is the <u>first</u> request for a continuation of the preliminary hearing.

For all of the above-stated reasons, the ends of justice would best be served by a continuance of the preliminary hearing date.

CONCLUSIONS OF LAW

The ends of justice served by granting said continuance outweigh the best interest of the public and the defendant, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the parties herein to potentially resolve the case prior to indictment, and further would deny the parties sufficient time and the opportunity within which to be able to effectively and thoroughly prepare for the preliminary hearing, taking into account the exercise of due diligence.

The continuance sought herein is allowed, with the defendant's consent, pursuant to Federal Rules of Procedure 5.1(d).

ORDER

IT IS THEREFORE ORDERED that the preliminary hearing currently scheduled for October 8, 2020, at the hour of 4:00 p.m., be vacated and continued to December 8, 2020, at the hour of 4:00 p.m.

DATED this ____ day of October, 2020.

THE HONORABLE NANCY J. KOPPE UNITED STATES MAGISTRATE JUDGE